

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

SMART LOCAL 265 WELFARE FUND,	)	
<i>et al.</i> ,	)	
	)	
Plaintiffs,	)	CIVIL ACTION
	)	
vs.	)	NO. 18 C 8024
	)	
MAJOR HEATING & COOLING, INC.,	)	JUDGE EDMOND E. CHANG
an Illinois corporation,	)	
	)	
Defendant.	)	

**MOTION FOR ENTRY OF JUDGMENT**

Plaintiffs, by and through their attorneys, default having been entered against the Defendant on February 28, 2019, request this Court enter judgment against Defendant, MAJOR HEATING & COOLING, INC., an Illinois corporation. In support of this Motion, Plaintiffs state:

1. On February 28, 2019, this Court entered default against Defendant and granted Plaintiffs' request for an order directing an audit of the Defendant's payroll books and records. The Court also entered an order that judgment would be entered after the completion of the audit.

2. On or about November 22, 2019, Plaintiffs' auditors completed the audit. The audit findings show that the Defendant is delinquent in contributions to the Funds in the amount of \$22,510.71, plus \$4,502.15 for twenty (20%) percent liquidated damages. (See Affidavit of Kevin J. Schell).

3. Plaintiffs' auditing firm of Calibre CPA Group, PLLC charged Plaintiffs \$1,328.75 to perform the audit examination and complete the report and the Funds are entitled to recover said fees under their Trust Agreements (Schell Aff. Par. 7).

4. In addition, Plaintiffs' firm has expended \$770.00 for costs and \$5,378.75 for attorneys' fees in this matter. (See Affidavit of Catherine M. Chapman).

5. Plaintiffs' counsel was unable to determine if this instant motion was agreed or uncontested due to the fact that Defendant did not obtain counsel to represent it in this matter.

6. Based upon the documents attached hereto, Plaintiffs request entry of judgment in the total amount of \$34,490.36.

WHEREFORE, Plaintiffs respectfully request this Court to enter judgment in the amount of \$34,490.36.

/s/ Cecilia M. Scanlon

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### **CERTIFICATE OF SERVICE**

The undersigned, an attorney of record, hereby certifies that she electronically filed the foregoing document (Motion for Entry of Judgment) with the Clerk of Court using the CM/ECF system, and further certifies that I have mailed the above-referenced document by United States Mail to the following non-CM/ECF participant on or before the hour of 5:00 p.m. this 17th day of December 2019:

Mr. Karl Beiermeister, Registered Agent  
Major Heating & Cooling, Inc.  
PO Box 600  
Wheaton, IL 60187-0600

Mr. Karl Beiermeister, Registered Agent  
Major Heating & Cooling, Inc.  
1009 Stoddard Avenue  
Wheaton, IL 60187-4471

Office of the Secretary of State  
Department of Business Services  
Annual Reports/Registered Agent Section  
Attn: File #67402774  
501 S. 2nd Street, Room 350  
Springfield, IL 62756

/s/ Cecilia M. Scanlon

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